

RESOLUTION 2020-19
VILLAGE OF NEW RICHMOND, OHIO

Council for the Village of New Richmond, Ohio met in regular session this 13th day of October, 2020 with the following members present:

Richard Feldkamp ✓
Melanie Slade ✓

Gary Skeene ✓
Becky Ploucha ✓

Mary Allen ✓
Larry Prues ✓

Councilperson Skeene moved for adoption of the following:

**A RESOLUTION PROVIDING THE VILLAGE'S CONSENT TO THE OHIO
DEPARTMENT OF TRANSPORTATION REGARDING DISTRICT WIDE
GUARDRAIL PROJECT, PID 111482 – D08 GR TYPE A REPLACEMENT**

WHEREAS, the Ohio Department of Transportation ("ODOT") has requested consent legislation from the Village of New Richmond, Ohio, with respect to a district-wide guardrail project part of which is scheduled to occur within the Village of New Richmond; and

WHEREAS, the State of Ohio has determined the need for the project referenced as PID No.: 111482- D08 GR Type A Replacement ("Project") as described below:

District wide replacement of type A anchor assembly guardrail on NHS local routes, to include a portion of US 52 in the Village of New Richmond.

WHEREAS, completion of the above-referenced Project will be a benefit with respect to improving the public health, safety and welfare of the Village of New Richmond, Ohio.

**NOW THEREFORE, BE IT RESOLVED BY A MAJORITY OF THE COUNCIL
OF THE VILLAGE OF NEW RICHMOND, CLERMONT COUNTY, OHIO, THAT:**

SECTION 1. Being in the public interest, the Village Council gives consent to the Director of Transportation to complete the above-described Project referenced as PID No.: 111482- D08 GR Type A Replacement.

SECTION 2. The Village of New Richmond, Ohio, shall cooperate with the Director of Transportation in the above described Project referenced as PID No.: 111482- D08 GR Type A Replacement as follows:

- The State shall assume and bear 100% of all the costs of the improvement.

- The Village of New Richmond, Ohio, agrees to pay 100% of the cost of those features requested by the Village of New Richmond, Ohio, which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

SECTION 3. The Village of New Richmond, Ohio, agrees that all right-of-way required for the described Project will be acquired and/or made available in accordance with current State and Federal regulations. The Village of New Richmond, Ohio, also understands that right-of-way costs include eligible utility costs. The Village of New Richmond, Ohio, agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION 4. Upon completion of the Project, and unless otherwise agreed, the Village of New Richmond, Ohio, shall:

- (1) provide adequate maintenance for the Project in accordance with all applicable State and Federal law, including, but not limited to, Title 23, U.S.C., Section 116;
- (2) provide ample financial provisions, as necessary, for the maintenance of the Project;
- (3) maintain the right-of-way, keeping it free of obstructions; and
- (4) hold said right-of-way inviolate for public highway purposes.

SECTION 5. The Village Council finds and determines that all formal actions of this Council relating to the adoption of this Resolution have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village of New Richmond, Ohio and that the Village by a $\frac{3}{4}$ majority vote hereby dispenses with the requirement that the Resolution be read on three separate days and hereby authorizes the adoption of the Resolution upon its first reading. That this Resolution shall take effect and be in force from the earliest date allowed by law.

Councilperson Prues seconded the motion to adopt the foregoing Resolution and upon roll call the vote was as follows:

Richard Feldkamp	<u>yes</u>
Larry Prues	<u>yes</u>
Melanie Slade	<u>yes</u>
Becky Ploucha	<u>yes</u>
Gary Skeene	<u>yes</u>
Mary Allen	<u>yes</u>

First Reading: 10-13-2020

Second Reading: _____

Third Reading: _____

Adopted: 10-13-2020

ATTEST:

Glenn Ewing
Mayor

Theresa Leigh
Clerk of Council

Approved as to Form:

[Signature]
Village Solicitor

✓